

**United States District Court**  
**Southern District of Florida**  
**MIAMI DIVISION**

**UNITED STATES OF AMERICA**

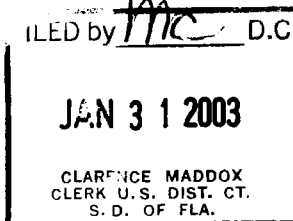
**JUDGMENT IN A CRIMINAL CASE**  
(For Offenses Committed On or After November 1, 1987)

**v.**

**Case Number: 02-20883-CR-MORENO**

**CARLOS SEAFOOD, INC.**

Counsel For Defendant: Dan Forman, Esq. (Retained)  
Counsel For The United States: Diane Patrick  
Court Reporter: Anton B. Schwartz



The defendant pleaded guilty to Count(s) ONE, TWO and THREE of the Information.  
ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>TITLE/SECTION NUMBER</u>	<u>NATURE OF OFFENSE</u>	<u>DATE OFFENSE CONCLUDED</u>	<u>COUNT</u>
16 U.S.C. § 3372(d)(1) and 3373(d)(3)(A)	importation of seafood into the United States by means of false documents	11/23/98	ONE
18 U.S.C. § 542	introduction of merchandise into United States commerce through false documents	11/23/98	TWO
21 U.S.C §§331(a) and 333(a)(2)	introduction of adulterated food into interstate commerce through false documents	11/23/98	THREE

The defendant is sentenced as provided in the following pages of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.


**IT IS FURTHER ORDERED** that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No. 59-1863558  
Defendant's Date of Birth: N/A  
Def't's U.S. Marshal No.: N/A

Date of Imposition of Sentence:  
January 29, 2003

Defendant's Mailing Address:  
4041 NW 28 Street  
Miami, FL 33142

Defendant's Residence Address:  
4041 NW 28 Street  
Miami, FL 33142

  
FEDERICO A. MORENO  
United States District Judge

January 31, 2003

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DEFENDANT: CARLOS SEAFOOD, INC.  
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### PROBATION

The defendant is hereby sentenced to probation for a term of **5 YEARS**.

While on probation, the defendant shall not commit another federal, state, or local crime.  
The defendant shall not illegally possess a controlled substance.

*For offenses committed on or after September 13, 1994:*

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter.

**The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.**

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).

**The defendant shall also comply with the additional conditions on the attached page.**

### STANDARD CONDITIONS OF SUPERVISION

1. the defendant shall not leave the judicial district without the permission of the court or probation officer;
2. the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. the defendant shall support his or her dependents and meet other family responsibilities;
5. the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. the defendant shall notify the probation officer **at least ten (10) days prior** to any change in residence or employment;
7. the defendant shall refrain from the excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
10. the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. the defendant shall notify the probation officer within **seventy-two (72) hours** of being arrested or questioned by a law enforcement officer;
12. the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.



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**SPECIAL CONDITIONS OF SUPERVISION**

The defendant shall also comply with the following additional condition(s) of probation:

**No additional conditions of probation were imposed.**

A handwritten signature in black ink, appearing to be "F. J. M.", is located in the bottom left corner of the page.

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**CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in the Schedule of Payments.

<u>Total Assessment</u>	<u>Total Fine</u>	<u>Total Restitution</u>
\$1200.00	\$350,000.00	\$

\*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.



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### **SCHEDULE OF PAYMENTS**

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A. Lump sum payment of **\$1200.00** due immediately. In accordance with C below.
- C. Payment in equal installments of \$70,000.00 per year over a period of 5 years, to commence 90 days after the date of this judgment.
- E. Special instructions regarding the payment of criminal monetary penalties:

**U.S. Customs Service - 65% of fine amount**  
**U.S. Food and Drug Administration - 20% of fine amount**  
**National Oceanic & Atmospheric Administration - 15% of fine amount**

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court, unless otherwise directed by the court, the probation officer, or the United States attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

**The assessment/fine/restitution is payable to the U.S. COURTS and is to be addressed to:**

**U.S. CLERK'S OFFICE  
ATTN: FINANCIAL SECTION  
301 N. MIAMI AVENUE, ROOM 150  
MIAMI, FLORIDA 33128**

**The assessment/fine/restitution is payable immediately. The U.S. Bureau of Prisons, U.S. Probation Office and the U.S. Attorney's Office are responsible for the enforcement of this order.**

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.

